

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
AUGUST 3, 2016 at 7:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

**PRESENT:** Councilmembers, Dave Everett, Samantha Scott, Bert Clark, Ted Munford and Travis Allan and Mayor Sonja Norton.

**WELCOME:** Mayor Sonja Norton welcomed everyone to the meeting.

**INVOCATION OR UPLIFTING THOUGHT:** An invocation was given by Councilmember Bert Clark.

**PLEDGE OF ALLEGIANCE:** The pledge of Allegiance was led by Councilmember Samantha Scott.

**APPROVAL OF MINUTES OF JULY 6, 2016 REGULAR MEETING:**  
*Councilmember Samantha Scott moved to approve the minutes of July 6, 2016. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Allan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

**INTRODUCTION OF OBERN MAYES, CITY TREASURER:** Mike Davis, Finance Director, introduced Mr. Obern Mayes to the Council and Mayor. He explained that an employee moved away, opening a position in his department. After moving people around, the treasurer position was filled by hiring Obern. Obern Mayes stated it is nice to be a part of the City. The Mayor and Council welcomed Mr. Mayes to employment with Vernal City.

**INTRODUCTION OF RYAN CANNON, POLICE OFFICER:** Chief Dylan Rooks explained that Mr. Ryan Cannon was recently hired from Naples City to fill a vacant police officer position. He noted that the department has been able to hire some really good officers the last few years, and in this case, they knew Mr. Cannon's work ethic before hiring him. Chief Rooks noted that this last year has been rough for the law enforcement profession, however, this community has been very supportive making this a great place to be. The Mayor and Council welcomed Mr. Cannon aboard.

**SURPLUS PROPERTY:** Ken Bassett reminded the Council that in August of last year the Council declared the property at the old City office as surplus in order to transfer some of those items to Terra Academy. Mr. Bassett referred the Council to a list of items that are still at the old office that need to be sold. He asked the Council to consider allowing the staff to sell the items on the website. Councilmember Ted Munford moved to declare the items presented as surplus and sell them through a bidding process on the internet. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Allan, Clark and Scott voting in favor for a unanimous vote.

**REQUEST FOR APPROVAL OF AGREEMENT WITH CRS FOR PAINT STRIPING PROJECT:** Ken Bassett explained that the City received a proposal from CRS Engineers to prepare the specifications and bidding documents for the road striping project. The City stripes

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the roads twice a year, and this contract will be for three applications. Councilmember Bert Clark asked if water based paint will be used. Ken Bassett answered yes, that the State of Utah does not allow oil-based paint. He noted that the engineers will not inspect the work so the \$4200 cost to this contract for inspection will be eliminated. Councilmember Clark asked when this project will commence. Ken Bassett stated they stripe the roads in the fall and spring and again in the fall of 2017. There was some discussion regarding the roads by the car wash. Councilmember Bert Clark moved to approve the proposal of CRS Engineering for the road striping project not to exceed \$5600. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....aye.*

**METER PROJECT INSTALLATION PROPOSAL BY MOUNTAINLAND SUPPLY:** Ken Bassett reminded the Council that they approved the proposal of Mountainland Supply to furnish the equipment for the radio-read water meter system. When the specifications were written, they did not include the installation as the intent was to install the equipment in-house. As that option was discussed, the concern was that if a problem crops up, whose responsibility is it to make the necessary repairs - is it bad installation or faulty equipment. Mr. Bassett gave an example from years ago where this happened, and it was found that the materials that the City purchased were faulty. The cost for this project, including the installation of 3300 meter read systems, would exceed the funding from the Community Impact Board by \$3000 which can come from the water utility fund. After further discussion, Councilmember Dave Everett moved to approve having Mountainland Supply do the installation of the radio-read equipment. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....aye.*

**ACCEPTANCE OF ROCKVILLE ESTATES WATERLINE:** Ken Bassett reminded the Council that Rockville Estates west of 500 West along Escalante Drive, requested the City consider accepting the infrastructure. The street, curb, gutter, sidewalk and utilities are all private belonging to the homeowners of Rockville. The City indicated to them the infrastructure had to be inspected first to determine what would be needed to bring them up to City standards. Most of the repairs were associated with the streets, curb and gutter, and the HOA has been working on improvements so the City will accept them. The water line has two master meters before entering the service lines to each home. The Water Superintendent has indicated that the City could accept the water line up to the meters. The roadway needed to be sealed, and that work has been done. The request to accept the street will be presented at the next meeting. The sewer line needs to be videoed to see if it is up to standard. The only outstanding issue is the storm

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drain system which has several issues that need to be addressed before the City can consider acceptance. Councilmember Bert Clark stated he had the opportunity to walk along this subdivision to see the improvements, and there are still pot holes in the street along with road cuts that need attention. Also, the weeds are growing behind these homes causing a fire hazard. He asked that code enforcement look into it. Ken Bassett stated he would have staff look into it. Councilmember Bert Clark moved to approve the acceptance of the water line in Rockville Estates. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Clark, Scott, Everett, Allan and Munford voting in favor for a unanimous vote.

**PUBLIC HEARING: REQUEST FOR APPROVAL TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – CHAPTERS 16.24 - SUPPLEMENTARY REGULATIONS, FLAG LOTS PERMITTED, AND 16.28 SIGN REGULATIONS – ORDINANCE NO. 2016-09:** Ken Bassett explained that from time to time changes are needed to the code. The first section of Ordinance No. 2016-09 deals with flag lots. Mr. Bassett drew a flag lot, showing the pole part of the drive and then the property where a structure would be built. Normally, the setback requirements for a structure in a residential zone are based on the roadway. With this ordinance, the setbacks for a flag lot would be determined based on the orientation of the structure on the property. One reason why you would do that is the neighboring property could be developed, and you do not want the structures next to the property line. Also, more than one property may want to use the drive entrance which would have to be a recorded access. The driveway does have to be paved up to the fire hydrant. The side setbacks have to be no less than 8 feet and the front and back setbacks are 30 feet. Councilmember Clark asked about putting in a shed. Ken Bassett stated a shed only has to be one foot off the property line as long as it is not attached to the main structure. Councilmember Munford asked what happens if the lot is not square or rectangular how would the location of the structure be determined. Ken Bassett stated the setbacks would still be addressed based on the orientation of the home. Councilmember Munford asked if the thirty feet has to be the entire width of the property or does it only have to be one point. Ken Bassett stated the staff would have to look at the development plan and determine the setbacks and what should be required. Councilmember Travis Allan asked if the thirty foot set back is the maximum footage or the minimum. Ken Bassett answered minimum. Mayor Norton stated she was not aware that the flag portion of her lot needed to be a hard surface.

Ken Bassett explained that the second section of the ordinance clarifies that fast food establishments such as McDonalds must post the maximum height of vehicles if their sign structures have an overhang. Councilmember Clark asked if this is for permanent structures or temporary signs. Ken Bassett stated normally these type of signs are permanent. The next section allows an exterior flat or wall sign to cover up to 25% of the wall of the business. The space includes any façade that is mounted on the top of the building so these signs do not end up looking like billboards. Councilmember Munford asked what happens with temporary sale signs such as banners. Ken Bassett stated businesses do use banners from time-to-time and also paint murals. The murals are not considered advertising so this ordinance does not apply. Mayor Norton stated the temporary sign ordinance may address banners. There was some discussion regarding signs that are mounted on a moveable structure such as a trailer or van. Councilmember Travis Allan asked if a sign is in the window does that count as part of the wall

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space. Ken Bassett stated if it is in the interior of the business the City does not regulate that. Also, the sign can only protrude five feet above the roof of a building. The definition for a pole sign was also updated. Councilmember Travis Allan asked where the footage of 150 feet from the business came from. He noted that Uintah County allows pole signs 450 feet away on Highway 40. Ken Bassett stated that may be UDOT standards, however, he would look into it. Mayor Norton opened the public hearing for comments. There being no public comments, the hearing was closed. Councilmember Ted Munford moved to approve Ordinance No. 2016-09 with the condition the staff revisit temporary signs and pole signs. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF AGREEMENT WITH MICHAEL DRECHSEL AS LAND USE APPEAL OFFICER:** Ken Bassett reminded the Council that Michael Drechsel has agreed to be the land use appeals officer for the City and a draft agreement has been prepared for approval. Councilmember Ted Munford asked if the agreement included Mr. Drechsel as the general appeals officer. Ken Bassett stated that has been included in the agreement. The cost is \$120 per hour if an appeal is heard. Councilmember Ted Munford moved to approve the agreement with Michael Drechsel as the land use appeal officer. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Scott, Everett, Clark and Allan voting in favor for a unanimous vote.

**REQUEST FOR APPROVAL TO AMEND THE VERNAL CITY CODE – SECTION 6.16.010 DESIGNATED - NUMBER OF DOGS AND CATS AT RESIDENCE OR LOCATION – ORDINANCE NO. 2016-11:** Ken Bassett explained that the current code designates any owner or person having charge, care, custody or control of any combination of more than four cats or dogs at a single residence or location is considered a nuisance. However, the residence may be in a commercial zone instead of a residential zone. Ordinance No. 2016-11 clarifies the wording, changing location to a parcel regardless of the zone. Councilmember Munford asked if this amount changes based on the size of the lot. Ken Bassett stated it does not as an R-3 zone allows apartments and each resident in that apartment could potentially have four animals. After further discussion, Councilmember Dave Everett moved to approve Ordinance No. 2016-11. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....nay;*  
*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....aye.*

**Administrative reports:**

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### Flowers on Main Street:

Councilmember Dave Everett noted that he receives comments every day on the flowers on Main Street and how they brighten the stay for visitors. Ken Bassett stated it is a challenge with the heat and the wind to keep the flowers looking nice.

### Directions:

Councilmember Travis Allan stated that the apple app, Siri, directs visitors to Brush Creek to the Dinosaur Quarry off Highway 191 rather than directing them through Vernal City. He asked how that can be changed. Mayor Norton suggested better signage and discuss the issue with Travel and Tourism.

### Youth Council:

Councilmember Samantha Scott indicated that a new advisor is needed for the Youth Council for this upcoming school year. She asked the Council to give her names of anyone that may be interested.

### Fencing:

Councilmember Clark noted that the fence has been removed from around the open space next to the Junior High School leaving pot holes next to the sidewalk. Ken Bassett stated he would contact the School District.

### Fitness Center:

Councilmember Bert Clark noted that there is a fitness center on 1000 East and the patrons are running out into the roadway creating a hazard for drivers.

### Utah League of Cities and Towns Conference.

Mayor Norton reminded the Council about the upcoming conference scheduled for September 13<sup>th</sup> through the 17<sup>th</sup>. Councilmembers Everett and Munford indicated they would not be able to attend.

**ADJOURN:** There being no further business, Councilmember Bert Clark moved to adjourn. Councilmember Ted Munford seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

ATTEST:

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Mayor Sonja Norton

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Roxanne Behunin, Deputy Recorder

( S E A L )